

AO 91 (Rev. 11/11) Criminal Complaint

Officer:

AUSA: Susan Fairchild

Monica Alaez

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UNITED STATES DISTRICT COURT
for the
Eastern District of Michigan

United States of America

v.

Jose Claudio PEREZ DELGADILLO

Case No.

Case: 2:24-mj-30074

Assigned To : Unassigned

Assign. Date : 2/28/2024

CMP USA V PEREZ DELGADILLO (LH)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of November 10, 2023 in the county of Wayne in the
Eastern District of Michigan, the defendant(s) violated:

<i>Code Section</i>	<i>Offense Description</i>
Title 8, United States Code, Section 1326(a),(b)(1)	Unlawful Re-entry after Removal from the United States

This criminal complaint is based on these facts:

On or about November 10 2023, in the Eastern District of Michigan, Southern Division, Jose Claudio PEREZ DELGADILLO, an alien from Mexico, who had previously been convicted of a felony offense, was found in the United States after having been denied admission, excluded, deported, and removed therefrom on or about August 30, 2018 at or near Laredo, Texas and not having obtained the express consent of the Attorney General of the United States or the Secretary of Homeland Security to re-apply for admission thereto; in violation of Title 8, United States Code, Section 1326(a), (b)(1).

☒ Continued on the attached sheet.

Sworn to before me and signed in my presence
and/or by reliable electronic means.

Date: February 28, 2024

City and state: Detroit, MI



Complainant's signature

Monica Alaez, Deportation Officer

Printed name and title



Judge's signature

Anthony P. Patti, United States Magistrate Judge

Printed name and title

AFFIDAVIT

I, Monica Alaez, declare the following under penalty of perjury:

1. I am a Deportation Officer employed with Immigration and Customs Enforcement (ICE) of the United States Department of Homeland Security, having served with ICE since March 2009. The facts set forth herein are based upon my personal knowledge as well as information provided by other law enforcement officers and record checks of law enforcement databases. I have also reviewed the immigration records and system automated data relating to Jose Claudio PEREZ DELGADILLO, which reveal the following:
2. Jose Claudio PEREZ DELGADILLO is a thirty-five-year-old citizen and native of Mexico who last entered the United States on an unknown date, at an unknown place, without inspection by the U.S. Department of Homeland Security. This affidavit is submitted for the limited purpose of establishing probable cause of Unlawful Reentry to the United States, a violation of 8 U.S.C. § 1326(a), (b)(1).
3. On or about September 13, 2007, the William County Court in Georgetown, Texas convicted PEREZ DELGADILLO of Possession of Controlled Substance PG1<1G and sentenced him to 7 months' custody.
4. On or about December 11, 2007, ICE ERO Austin, Texas arrested PEREZ DELGADILLO and served him a Notice to Appear. On or about January 7, 2008, the Immigration Judge in San Antonio, Texas ordered PEREZ DELGADILLO removed from the United States to Mexico. On January 10, 2008, ICE ERO removed PEREZ DELGADILLO to Mexico from the United States via Laredo, Texas port of entry.
5. On or about July 9, 2017, the Dearborn Police Department in Dearborn, Michigan arrested PEREZ DELGADILLO for traffic offense. Disposition unknown.
6. On or about August 21, 2017, the Detroit Police Department in Detroit, Michigan arrested PEREZ DELGADILLO for a weapons offense.

Disposition unknown.


7. On or about August 24, 2017, the 16th District Court in Livonia, Michigan convicted PEREZ DELGADILLO of Controlled Substance – Possession and sentenced him to 10 days' custody.
8. On or about September 5, 2017, United States Border Patrol at or near Detroit, Michigan apprehended PEREZ DELGADILLO and served him with a Notice of Intent / Decision to Reinstate Prior Order.
9. On or about March 6, 2018, the United States District Court, Eastern District of Michigan convicted PEREZ DELGADILLO of Title 8 U.S.C. §1326(a) Unlawful Re-entry and sentenced him to 12 months' incarceration. On or about August 30, 2018, ICE ERO removed PEREZ DELGADILLO from the United States to Mexico via the Laredo, Texas, port of entry.
10. On or about December 8, 2020, the United States Border Patrol, at or near Carrizo Springs, Texas apprehended PEREZ DELGADILLO and returned him to Mexico the same day under Title 42 authority.
11. On or about November 10, 2023, the Wyandotte Police Department, in Michigan, arrested PEREZ DELGADILLO for crystal meth possession, and vagrancy loitering. On or about November 28, 2023, ICE ERO placed a detainer on PEREZ DELGADILLO at Wayne County Jail.
12. On or about February 26, 2024, the 3rd Circuit Court in Detroit, Michigan convicted PEREZ DELGADILLO of Attempted Controlled Substance-Possession of Methamphetamine and sentenced him to 30 days. On the same day ICE ERO Detroit transported PEREZ DELGADILLO from the Wayne County Jail to St. Clair Jail.
13. On or about February 27, 2024, the Detroit ICE Field Office served PEREZ DELGADILLO with a Notice of Intent /Decision to Reinstate prior order. ICE searched his fingerprints in government electronic systems resulting in a positive match for Jose Claudio PEREZ DELGADILLO, DOB XX/XX/1988, AXXX XXX 946, a previously removed alien.

14. The aforementioned arrest and subsequent detention was an administrative, non-criminal action made pursuant to the authority found in sections 1357, 1225, 1226, and/or 1231 of Title 8, United States Code to arrest and detain any alien entering or attempting to enter the United States, or any alien present in the United States, who is reasonably believed to be in violation of any law or regulation regulating the admission, exclusion, expulsion, or removal of aliens.
15. ICE officers reviewed immigration file records and Department of Homeland Security electronic records, indicating that Jose Claudio PEREZ DELGADILLO AXXX XXX 946, did not obtain the express consent of the Attorney General or the Secretary of the Department of Homeland Security to reapply for admission to the United States.
16. Based on the above information, I believe there is probable cause to conclude that Jose Claudio PEREZ DELGADILLO, is an alien, who was previously convicted of a felony offense and who was found in or reentered the United States after deportation or removal, without the express permission of the Attorney General of the United States or from the Secretary of the Department of Homeland Security to reapply for admission to the United States, in violation of Title 8, United States Code, Section 1326(a), (b)(1).



Monica Alaez, Deportation Officer
Immigration and Customs Enforcement

Sworn to before me and signed in my
presence and/or by reliable electronic means.



Honorable Anthony P. Patti February 28, 2024
United States Magistrate Judge